

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Yucaipa Mobilehome Residents' Association
("YMRA"), a California nonprofit corporation,
by Len Tyler, President of YMRA, as
representative of the residents of Knollwood
Mobilehome Park; Edna Jenkins, a represented
Member of YMRA, an individual and resident
Of Knollwood Mobilehome Park; and
Nancy L. Carlisle, a represented member of
YMRA, an Individual and resident of Knollwood
Mobilehome Park,

Complainants,

vs.

Knollwood Mobilehome Estates, Ltd.,
a California Partnership, doing business as
Knollwood Mobilehome Estates,

Defendant.

Case 01-06-008
(Filed June 4, 2001)

SCOPING MEMO AND RULING OF ASSIGNED COMMISSIONER

Summary

Pursuant to Rules 6(b)(3) and 6.3 of the Commission's Rules of Practice and Procedure, this ruling sets forth the procedural schedule, assigns a presiding officer, and addresses the scope of the proceeding.

Background

Complainants, representing residents of Knollwood Mobilehome Estates (Knollwood), contest a capital improvement rent increase approved by the City of Yucaipa Rent Review Commission in 1999, arguing that some matters within the increase are subject to the exclusive jurisdiction of the Commission. The rent increase (\$17.40 per month for 20 years) covered cost of work on gas, electric and water facilities within the park.

Scope of the Proceeding

The scope of the proceeding addresses the following issues:

- Do trenching costs include any amount solely attributable to gas and electricity in such a manner as to fall within the exclusive jurisdiction of the Commission?
- Were items such as pedestals and meters improperly included in costs that were passed along to residents?
- Were administrative costs improperly included in costs that were passed along to residents?
- Are residents precluded from bringing this action because of the earlier decisions of the Rent Review Commission and the Superior Court?

Schedule

The schedule for this proceeding is as follows:

| Date | Event |
|----------------|-----------------------------------------------------|
| March 15, 2002 | Complainant's Opening Testimony Served. |
| April 19, 2002 | Defendant's Responsive Testimony Served. |
| May 3, 2002 | Complainant's Rebuttal Testimony Served (Optional). |
| May 23, 2002 | Evidentiary Hearing. |

Because of the need for further discovery, the parties have requested that the 12-month statutory timeframe for resolution of adjudicatory proceedings be extended for this proceeding. That request will be placed before the Commission.

Category of Proceeding and Need for Hearing

This ruling confirms that this case is adjudicatory and is scheduled for hearing, as preliminarily determined in the Instructions to Answer.

Assignment of Presiding Officer

Administrative Law Judge Walker will be the presiding officer.

Ex Parte Rules

Ex parte communications are prohibited in adjudicatory proceedings under Pub. Util. Code § 1701.2(b) and Rule 7.

IT IS RULED that:

1. The scope of the proceeding is as set forth herein.
2. The schedule for this proceeding is as set forth herein.
3. The presiding officer will be Administrative Law Judge Walker.
4. This proceeding is adjudicatory and is scheduled for hearing.
5. Ex parte communications are prohibited.

Dated January 11, 2002, at San Francisco, California.

/s/ RICHARD A. BILAS

Richard A. Bilas
Assigned Commissioner

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Scoping Memo and Ruling of Assigned Commissioner on all parties of record in this proceeding or their attorneys of record.

Dated January 11, 2002, at San Francisco, California.

/s/ JEANNIE CHANG

Jeannie Chang

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.